

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TONY JUNIOR JACKSON,

Plaintiff,

v.

R. YNIQUEZ, et al.,

Defendants.

No. 1:20-cv-00205-NONE-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO STATE A
CLAIM

(Doc. No. 12)

Plaintiff Tony Junior Jackson is a federal prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 14, 2021, the assigned magistrate judge filed findings and recommendations, recommending that this action be dismissed for failure to state a claim on which relief can be granted. (Doc. No. 12.) Given that plaintiff had received two opportunities to amend his complaint and failed to cure the noted deficiencies, (Doc. Nos. 6, 8), the magistrate judge found that further amendment would be futile. (Doc. No. 12 at 1, 5.) The findings and recommendations were served on plaintiff and provided that any objections thereto may be filed within 21 days. (*Id.* at 6.) Plaintiff has not filed any objections, and the time do so has passed.

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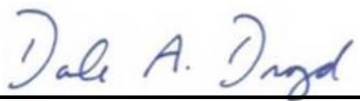
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
3 and recommendations to be supported by the record and proper analysis. *See also Christopher v.*
4 *Harbury*, 536 U.S. 403, 417–18 (2002) (holding that in backward-looking access-to-courts claim,
5 “the complaint should state the underlying claim in accordance with Federal Rule of Civil
6 Procedure 8(a), just as if it were being independently pursued, and a like plain statement should
7 describe any remedy available under the access claim and presently unique to it”).

8 Accordingly,

- 9 1. The findings and recommendations issued on June 14, 2021 (Doc. No. 12) are
10 adopted in full;
- 11 2. This action is dismissed for failure to state a claim on which relief can be granted;
12 and,
- 13 3. The Clerk of the Court is directed to assign a district judge to this case for
14 purposes of closure and to close this case.

15 IT IS SO ORDERED.

16 Dated: October 11, 2021

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UNITED STATES DISTRICT JUDGE